

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MONICA LYONS and NEIL D. GEISER, :

Plaintiffs :

v. :

SYNAPSE GROUP, INC. :

SYNAPSECONNECT, INC. and :

TIME INC., :

Defendants. :

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Case No.: 08 Civ. 2963 (LAP)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE THAT, upon the Affidavit of Andrew B. Lachow, dated April 24, 2008, and Defendant Time Inc.'s Memorandum of Law in Support of Its Motion to Dismiss the Complaint, defendant Time Inc. ("Time") will move this Court before the Honorable Loretta A. Preska at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, on a date to be determined by the Court at 10:00 a.m., or as soon thereafter as counsel may be heard, for an Order dismissing the complaint in its entirety as against Time pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief may be granted.

Dated: New York, New York  
April 24, 2008

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Andrew B. Lachow".

Andrew B. Lachow (AL-2932)  
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Attorneys for Synapse Group, Inc. and  
SynapseConnect, Inc.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the date noted below, he caused a true and correct copy of Defendant Time Inc.'s Notice of Motion to Dismiss and Supporting Affidavit of Andrew B. Lachow and Memorandum of Law to be served by mail on the parties listed below:

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Attorneys for Synapse Group, Inc. and  
SynapseConnect, Inc.

Dated: April 24, 2008



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Andrew B. Lachow